

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RAYMOND DAVIS,

Plaintiff

v.

JAQUELINE BLUTH, et al.,

Defendants

Case No.: 2:20-cv-01696-APG-EJY

**Order Accepting Report and
Recommendation**

[ECF No. 6]

On October 5, 2020, Magistrate Judge Youchah recommended that I dismiss plaintiff Raymond Davis's first, second, fifth, sixth, seventh, and eighth causes of action against defendant Jaqueline Bluth without prejudice and that I dismiss his third, fourth, and ninth causes of action with prejudice. ECF No. 6. She also recommended I give Davis 30 days from the date of her order to file an amended complaint. Davis did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Youchah's report and recommendation (ECF No. 6) is accepted. Plaintiff Raymond Davis's first, second, fifth, sixth, seventh, and eighth causes of action against defendant Jaqueline Bluth are dismissed without prejudice. Davis's third, fourth, and ninth causes of action are dismissed with prejudice. Davis may file an amended complaint consistent with Magistrate Judge Youchah's report and recommendation and

1 this order by November 25, 2020. Failure to file an amended complaint by that date may result
2 in dismissal of this case without prejudice.

3 DATED this 26th day of October, 2020.

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6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
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